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RL:0367

**HR 183
REQUESTING REVIEW OF CONSTITUTIONAL AMENDMENT
RELATING TO WATER RESOURCES**

**Statement for
House Committees on
Water, Land Use Development and Hawaiian Homes
Judiciary
Public Hearing, 28 March 1979**

**By
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Williamson Chang, School of Law**

HR 183 requests that appropriate House Committee review the constitutional amendment relating to water resources and also an amended Hawaiian Homes Commission Act section relating to water systems. This statement on the resolution does not reflect an institutional position of the University.

The constitutional amendment in question, Article XI, Section 7, calls for the establishment of an agency having overall regulatory authority over use of water resources of the State. In essence House Committees have already reviewed the implications of this amendment through their consideration of two bills that would establish such an agency, HB 1038, and HB 1061. The first of these bills is essentially the bill recommended by the State Water Commission. An Environmental Center review (RL:0352, 9 March 1979) of these bills and two Senate bills, SB 39 and SB 40 the latter (also essentially the Water Commission bill) is attached to this statement.

A more extensive review would, of necessity, have to extend to the rationale presented for the State Water Commission bill in the Commission's report. HR 183 requests that the review be conducted so that its results may be reported prior to the adjournment of the 1979 legislative session. However, it would be difficult to conduct the more extensive review during the present legislative session.

We understand that HB 1038, HB 1061, SB 39 and SB 40 are being held for consideration in the period before the next legislative session. This consideration should satisfy the conditions of HR 183 except for the condition as to the time of reporting the results of the review.